IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
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Stephen Venditti et al.	) Group Art Unit: 2161
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Application No.: 10/713,416	) Examiner: E. P. Leroux
	)
Filed: November 14, 2003	) Confirmation No.: 2730
	)
For: DATA ACCESS AND RETRIEVAL	)
MECHANISM	)
	)
	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37)

dated May 16, 2007, the response for which is due July 16, 2007, with a one month

extension of time, Appellant submits the following amendments to the APPELLANT'S

BRIEF PURSUANT TO 37 CFR §41.37 filed March 19, 2007.

AMENDMENTS TO THE APPEAL BRIEF

Please replace Section V. Summary of Claimed Subject Matter, with the following:

V.   SUMMARY OF CLAIMED SUBJECT MATTER (37 CFR §41.37(c)(1)(v))

The explosive growth of information available in electronic form has made the search for relevant information extremely difficult for the average computer user (Applicant's specification, p. 1, lines 8-9, 12-14). By ranking the relevancy of information resources based on search criteria specified by users, search engines have sought to provide a solution to this problem (p. 1, lines 15-20). A search engine alone, however, provides only a partial solution to the problem of identifying relevant information because its accuracy necessarily depends on the completeness of the data collection on which it operates (p. 1, lines 22-23). If information resources are removed from a data collection, for example, a search engine may produce inconsistent results for subsequent queries (p. 1, lines 23-25).

Applicant's invention provides execution of search queries on a data collection, selection for preservation of a resource from the data collection, and preservation of the resource itself (p. 2, lines 16-26). By allowing users to select and preserve resources identified by previously executed search queries, appellant's invention effectively reduces the likelihood that subsequent identical queries will produce inconsistent results (p. 7, lines 25-29). Appellant's invention is claimed in the instant application in independent claims 1, 17, and 33.

a)   **Claim 1**

As recited in independent claim 1, the claimed invention comprises a computer-implemented (FIG. 1, computer system 100; p. 6, lines 13-15) method for

facilitating access to a resource (FIG. 3; p. 7, lines 30-31) which is included in a data
collection (p. 1, lines 16-18), the resource comprising a self-contained module of data
(p. 2, lines 16-18), the data collection comprising a plurality of resources (p. 1,
lines 16-20), the method comprising acts of:

    (A) executing a search query (FIG. 3, act 305; p. 8, lines 1-2) on the data
        collection to produce at least one search result (FIG. 3, act 310; FIG. 5,
        search results 511A-511J, displayed in portion 510; p. 9, lines 21-28), the
        search query (FIG. 4) specifying at least one criterion (FIG. 4, boxes 425,
        435A-435B, 440A-440B, 442A-442F, 445A-445F; p. 8, lines 22-32), each of
        the at least one search results representing a resource which satisfies the at
        least one criterion (FIG. 4, act 310; FIG. 5, portion 510; p. 9, lines 21-28);

    (B) after executing the search query (FIG. 3, act 305; p. 8, lines 1-2), providing
        an input mechanism by means of which a user may select from among the
        search results (FIG. 3, act 315; FIG. 5, box 514; FIG. 6, boxes 514A-514F;
        p. 10, lines 6-9, 18-21), for preservation (p. 10, lines 9-13), at least one
        resource represented by a search result (p. 10, lines 18-19); and

    (C) executing, in response to the user's selection (FIG. 3, act 315; p. 10,
        lines 25-26), a command to preserve the selected at least one resource in a
        system location (FIG. 3, acts 320, 325, 330; FIG. 7, interface 701, described
        at p. 10, line 25 - p. 11, line 8; for an embodiment implementing data
        structures: FIG. 9, tables 910-960, described at p. 11, lines 19-24, 27-29,
        p. 12, lines 7-12).

b) <u>Claim 17</u>

As recited in independent claim 17, the claimed invention comprises a computer-readable medium (FIG. 2, medium 201; p. 7, lines 3-5) encoded with instructions (FIG. 2, medium 201; p. 7, lines 3-5) which, when executed by a computer (FIG. 1, computer system 100; p. 6, lines 13-15), perform a method for facilitating access to a resource (FIG. 3; p. 7, lines 30-31) which is included in a data collection (p. 1, lines 16-18), the resource comprising a self-contained module of data (p. 2, lines 16-18), the data collection comprising a plurality of resources (p. 1, lines 16-20), the method comprising the acts (A), (B) and (C) as set forth in claim 1.

c) <u>Claim 33</u>

Lastly, as recited in independent claim 33, the claimed invention comprises a system (FIG. 1, computer system 100; p. 6, lines 13-18) for facilitating access to a resource (FIG. 1, computer system 100; p. 6, lines 13-20) which is included in a data collection (p. 1, lines 16-18), the resource comprising a self-contained module of data (p. 2, lines 16-18), the data collection comprising a plurality of resources (p. 1, lines 16-20), the system comprising:

i) a search controller[1] to perform act (A) as set forth in claim 1;

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[1] Applicant's specification defines a controller to include any component or collection of components that perform any of the functions that are part of the invention (p. 17, lines 3-8). The processor 103 of FIG. 1, p. 6, lines 20-33, in conjunction with a search tool, such as the one having a graphical user interface 401 depicted in FIG. 4, operates to obtain search criteria and execute search queries shown as act 305 in FIG. 3 and described at p. 8, lines 1-2. It therefore constitutes an example of the claimed search controller.

ii) an input controller[2] to provide an input mechanism (FIG. 5, interface 501; p. 9, lines 25-28) by means of which a user may select (FIG. 3, act 315; FIG. 5, box 514; FIG. 6, boxes 514A-514F; p. 10, lines 6-9, 18-21), from the at least one search result (FIG. 5, results 511A-511J; p. 9, lines 21-28) produced by the search controller (FIG. 1, processor 103, interface 401; p. 17, lines 3-8), at least one resource from the data collection for preservation (p. 10, lines 9-13); and

iii) a command controller[3] to execute, in response to the user's selection (FIG. 6, boxes 514A-514F, described at p. 10, 18-21) provided to the input controller (FIG. 1, processor 103, interface 501; p. 17, lines 3-8), a command to preserve the selected at least one resource in a system location (FIG. 3, acts 320, 325, 330; FIG. 7, interface 701, described at p. 10, lines 25-33, p. 11, lines 1-8; FIG. 8, portion 405, described at p. 11, lines 14-18; FIG. 9, tables 910-960, described at p. 11, lines 19-24, 27-29, p. 12, lines 7-12).

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[2] Applicant's specification defines a controller to include any component or collection of components that perform any of the functions that are part of the invention (p. 17, lines 3-8). The processor 103 of FIG. 1, p. 6, lines 20-33, implementing the graphical user interface 501 depicted in FIG. 5 and FIG. 6 and described at p. 9, lines 25-28 and p. 10, lines 18-21, operates to perform the selection functions of act 315 of FIG. 3 (described at p. 10, lines 6-9 and 18-21). It therefore constitutes an example of the claimed input controller.

[3] Applicant's specification defines a controller to include any component or collection of components that perform any of the functions that are part of the invention (p. 17, lines 3-8). The processor 103 of FIG. 1, described at p. 6, lines 20-33, implementing the graphical user interface 701 of FIG. 7 and the interface portion of FIG. 8, described respectively at p. 10, lines 29-32 and p. 11, lines 14-18, operates to perform the preservation function of acts 320, 325, 330 of FIG. 3, described at p. 10, line 25 - p. 11, line 8. It therefore constitutes an example of the claimed command controller.

REMARKS

In the Notification of Non-Compliant Appeal Brief, the Examiner indicated that Appellant's brief did not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line numbers required under 37 C.F.R. § 41.37(c)(1)(v). In response, Appellant submits a revised Section V, Summary of Claimed Subject Matter, in which each independent claim element is mapped to the specification by page and line number and to the drawings by reference characters. Accordingly, Appellant submits that this response corrects the deficiencies in the Appellant's brief filed on March 19, 2007, and requests reconsideration of Appellant's Brief.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: June 27, 2007   By: *Maura K. Moran*

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